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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,184	08/06/2001	Richard E. Rowe	IGT1P070/P-629	4646
22434	7590	03/27/2006	EXAMINER	
BEYER WEAVER & THOMAS LLP			POINVIL, FRANTZY	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			3628	
DATE MAILED: 03/27/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/927,184	Applicant(s) ROWE, RICHARD E.	
	Examiner Frantzy Poinvil	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/30/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 and 8-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Schneier et al (US Patent No. 6,450885).

As per claims 1-6 and 15-18, Schneier et al disclose a system and method for enabling remote players to participate in a game via a network communications system. The system and method comprise registering a player, creating a player tracking account for the player using player information derived from an account card associated with the player, the account card corresponding to a remote account unrelated to the player tracking system. Applicant is directed to column 4, lines 51-64 and column 5, lines 10-59.

The system enables participation by the player in the player tracking system using the account card subsequent to creating the player account. The player information is derived from reading encoded information from the account card. Applicant is directed to column 5, lines 10-21 and 45-57. Schneier et al further teach

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deriving the player information from the remote account identified by the account card and effecting electronic funds transfer from the remote account to the player tracking account. See column 4, lines 33-50 and column 5, lines 44-57.

As per claims 8-13, the account card of Schneier et al is a credit card using a card of an account type using a reading device and/or manually entering data by the player.

As per claim 14, Schneier et al provide additional services such as voice mailing and faxing system. See column 7, lines 1-2 of Schneier et al.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schneier et al (US Patent No. 6,450,885) and Dorrough et al. (US Patent No. 5,287,269).

The teachings of Schneier et al are discussed above. As per claim 7, Schneier et al do not explicitly teach providing a player tracking card to the player subsequent to the player tracking account and enabling participation by the player in the player tracking system using the player tracking card.

Dorrough et al disclose a system and method for accessing events, areas and activities. In so doing Dorrough et al disclose registering a user using the user's account number and providing a tracking card to the game player. See column 7, lines 7-67 and column 9, lines 3-58 of Dorrough et al. It would have been obvious to one of ordinary skill in the art to incorporate the teachings of Dorrough et al into Schneier et al in order to provide players with a tracking card for enabling players to instantly gain access to a game or control or monitor their account.

Claims 19-24 and 26-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al (US Patent No. 6,645,068) in view of Schneier et al (US Patent No. .

As per claims 19 and 33-37, Kelly et al disclose a game system having a network communications system for enabling users to participate remotely. See the abstract.

In so doing, Kelly et al disclose

- a player tracking system in a gaming network, comprising:

- a plurality of gaming machines (figure 1, elements 106);

- a plurality of player tracking units associated with the gaming machines (column 7, lines 1-27);

- a network interconnecting the gaming machines and player tracking units; and
- a player tracking server connected to the network for managing the player tracking system by interacting with the player tracking units (column 7, lines 1-27 and column 4, lines 1-64);

wherein the player tracking system is operable to generate a player tracking account corresponding to a player (column 7, lines 1-27).

Kelly et al do not explicitly state the player tracking system generates the player tracking account corresponding to player information derived from an account card associated with the player.

This teaching is taught by Schneier et al. Schneier et al discloses a system and method for enabling remote players to participate in a game via a network communications system. The system and method comprise registering a player, creating a player tracking account for the player using player information derived from an account card associated with the player, the account card corresponding to a remote account unrelated to the player tracking system. Applicant is directed to column 4, lines 51-64 and column 5, lines 10-59.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Schneier et al into Kelly et al in order to use the player's account number to create the users account file so as to thereby obtain a true and verifiable identification of the players using the gaming network system.

As per claims 20-24, the system of Schneier et al enables participation by the player in the player tracking system using the account card subsequent to creating the player account. The player information is derived from reading encoded information from the account card. Applicant is directed to column 5, lines 10-21 and 45-57. Schneier et al further teach deriving the player information from the remote account

identified by the account card and effecting electronic funds transfer from the remote account to the player tracking account. See column 4, lines 33-50 and column 5, lines 44-57.

As per claims 26-31, the account card of Schneier et al is a credit card using a card of an account type using a reading device and/or manually entering data by the player.

As per claim 32, Schneier et al provides additional services such as voice mailing and faxing system. See column 7, lines 1-2 of Schneier et al.

As per claims 20-24 and 26-32, the motivation to combine Klelly et al and Schenier et al would have been to ensure data integrity in the combined system.

Claims 25 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al (US Patent No. 6,645,068) and Schneier et al (US Patent No. 6,450,885) in view of Dorrough et al. (US Patent No. 5,287,269).

As per claims 25 and 38, the teachings of Kelly et al and Schneier et al are discussed above. Schneier et al do not explicitly teach providing a player tracking card to the player subsequent to the player tracking account and enabling participation by the player in the player tracking system using the player tracking card.

Dorrough et al disclose a system and method for accessing events, areas and activities. In so doing Dorrough et al disclose registering a user using the user's account number and providing a tracking card to the game player. See column 7, lines 7-67 and column 9, lines 3-58 of Dorrough et al. It would have been obvious to one of


ordinary skill in the art to incorporate the teachings of Dorrough et al into the combination of Kelly et al and Schneier et al in order to provide players with a tracking card for enabling players to instantly gain access to a game or control or monitor their account.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Frantzy Poinvil
Primary Examiner
Art Unit 3628